

Robert Roos  
 Arizona Bar No. 009915  
 LEWIS ROCA ROTHGERBER CHRISTIE LLP  
 201 E. Washington Street, Suite 1200  
 Phoenix, AZ 85004  
 Tel: (602) 262-5311  
 Email: rroos@lewisroca.com  
*(Admitted pro hac vice)*

Dan R. Waite  
 Nevada Bar No. 4078  
 LEWIS ROCA ROTHGERBER CHRISTIE LLP  
 3993 Howard Hughes Pkwy, Suite 600  
 Las Vegas, NV 89169-5996  
 Tel: (702) 949-8200  
 Email: dwaite@lewisroca.com

*Attorneys for Defendants JE Dunn Construction  
 Company, Federal Insurance Company, Hartford  
 Fire Insurance Company, Travelers Casualty  
 and Surety Company of America and Pacific Indemnity Company*

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use  
 and benefit of SUSTAINABLE MODULAR  
 MANAGEMENT, INC., a Texas corporation,

Plaintiff,

vs.

JE DUNN CONSTRUCTION  
 COMPANY; FEDERAL INSURANCE  
 COMPANY; HARTFORD FIRE  
 INSURANCE COMPANY; TRAVELERS  
 CASUALTY AND SURETY COMPANY  
 OF AMERICA; DOE Individuals I-X and  
 ROE Entities I-X, inclusive,

Defendants.

And All Related Matters

Case No.: 2:20-cv-00790-GMN-NJK  
 Consolidated with  
 Case No.: 2:20-cv-01200-APG-VCF

**STIPULATION AND ORDER FOR A  
 15-DAY EXTENSION OF TIME FOR  
 DEFENDANT JE DUNN TO FILE ITS  
 REPLY IN SUPPORT OF ITS MOTION  
 FOR RECONSIDERATION**

**FIRST REQUEST FOR EXTENSION**

Pursuant to LR IA 6-1, Defendant JE Dunn Construction Company ("Defendant") and  
 Plaintiff United States of America, for the use and benefit of Sustainable Modular Management,  
 Inc. ("Plaintiff") stipulate to extend the deadline for Defendant to file its reply in support of its

1 Motion for Reconsideration (the “Motion”) by 15 days to June 5, 2024, in light of the  
2 following facts:

3 **RECITALS**

4 1. On April 16, 2024, Defendant filed its Motion to Reconsider [Dkt. 132] the  
5 Court’s March 21, 2024 Order Granting Motion for Partial Summary Judgment filed by Plaintiff  
6 [Dkt. 127].

7 2. On April 30, 2024, Plaintiff filed its Stipulation and Proposed Order for a 14-Day  
8 Extension of Time to respond to the Motion [Dkt. 134]. The Court granted the stipulation the  
9 same day causing Plaintiff’s response to be due May 14, 2024 [Dkt. 135]. Plaintiff timely filed its  
10 response.

11 3. Defendant’s Reply in Support of Its Motion for Reconsideration is currently due  
12 on May 21, 2024. Due to prior obligations and conflicts of Defendants’ counsel, Defendant’s  
13 counsel consulted with Plaintiff’s counsel to request a 15-day extension of time to file  
14 Defendant’s Reply in support of its Motion. Plaintiff’s counsel responded that he does not oppose  
15 such a request under the circumstances, as described below.

16 4. Defendant’s counsel has a heavy workload, including, among other things,  
17 preparing for a deposition set for May 22, 2024, the filing of a discovery motion on an expedited  
18 basis and the filing of a pre-hearing statement due on May 24, 2024. Counsel is also preparing  
19 for an evidentiary hearing scheduled for June 4, 2024.

20 5. Accordingly, the Parties stipulate to a 15-day extension of time for Defendant to  
21 file its reply in support of its Motion until and including June 5, 2024

22 6. There is good cause to grant this stipulation because Defendant’s counsel requires  
23 additional time to prepare a proper reply on behalf of Defendant in support of its Motion. This is  
24 Defendant’s first request for an extension of time.

25 7. Plaintiff does not oppose the relief requested herein and has graciously agreed to  
26 submit it as a stipulation. This stipulation is filed in good faith and not intended to cause delay.

27 8. Pursuant to Local Rule IA 6-1, Defendant respectfully requests that the Court  
28 extend Defendant’s deadline to file its reply in support of its Motion through June 5, 2024.

**STIPULATION**

DATED this 17th day of May, 2024

DATED this 17th day of May, 2024

MORRIS LAW GROUP

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Michael S. Alfred

By: /s/ Robert F. Roos

Doreen Spears Hartwell, SBN 7525

Robert F. Roos (Pro Hac Vice)

Laura J. Thalacker, SBN 5252

201 East Washington Street, Suite 1200

HARTWELL THALACKER, LTD

Phoenix, Arizona 85004-2595

11920 Southern Highlands Pkwy, Suite

Dan R. Waite, Bar No. 4078

201

3993 Howard Hughes Pkwy, Suite 600

Las Vegas, Nevada 89141

Las Vegas, NV 89169-5996

VerisLaw, PLLC

*Attorneys for Defendant/Counterclaimant*

Michael S. Alfred (Pro Hac Vice)

*JE Dunn Construction Company and Surety*

4843 Colleyville Blvd., Ste 251-391

*Defendants*

Colleyville, Texas 76034

*Attorneys for Plaintiff*

**ORDER**

IT IS SO ORDERED.

  
United States District Court Judge

DATED: May 17, 2024